

## **REMARKS/ARGUMENTS**

### **Claim Amendments**

The Applicant has amended claims 1, 5-8, 14, 19, 20, 22; claims 17-18 have been canceled. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-16 and 19-24 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks. Support for the amendments can be found throughout the specification but in particular on page 9, lines 13-18, page 11, lines 15-19, page 17, lines 1-8.

### **Claim Rejections – 35 U.S.C. § 102(b)**

Claims 1-3, 4-13, 17 and 19 stand rejected under 35 U.S.C. 102(b) as being anticipated by Greer et al (US5987466). The Applicant respectfully traverses the rejection of these claims.

The Applicant's claimed invention is directed to controlling objects that are being requested and transferred from a first component (e.g., a server) to a second component (e.g., a client). Control is exercised over the objects by a third component (e.g., proxy server) monitoring traffic over a link between the third component and the second component. Priority is dynamically assigned to the objects in the intermediate component (page 9, lines 13-18). Requested objects are then delivered based on the currently assigned priority of each object. Dynamically assigning the priority allows the Applicant's system to exercise better control over the traffic between the intermediate and second components. Monitoring the traffic to dynamically assign priorities makes sure that the link is fully used before suspending a connection (part of the link) so as not to waste available bandwidth. The intermediate component compares the average throughput (over the last N seconds) of all connections going to the second component with the amount of data that is currently cached or buffered in the proxy server (see Fig. 3) that is ready to be sent.

The Greer reference is directed to a client-side technique where certain classes of elements designated by an HTML are viewed or otherwise accessed given varying

priority levels. Specifically, Greer discloses a method providing that all elements having a top priority are received prior to other priority levels so that a modified HTML may be constructed using the prioritized elements (see FIG. 1, col. 2, lines 20-32). The Greer reference further discloses assigning priority "based upon user defined priority levels" (Abstract, col. 3, lines 19-21).

Greer assigns priorities and provides those priorities in a list or multiple lists and the objects are loaded according to the assigned priorities. Furthermore, Greer does not take into account the traffic on a link between a stored object and the end or client device. If an object in Greer is large but has a high priority, that object will go before smaller, lower priorities. This can have the effect of clogging the link. As noted above, the Applicant discloses a method of controlling object transfer between connections by dynamically assigning/adjusting priorities of objects that are in the intermediate component. An object with a high priority and large size may not be transferred based on the amount of traffic on the link between the intermediate and second component until. This being the case, the Applicant respectfully requests the rejection of claim 1 and the analogous independent claims 14, 19 and 20 which contain similar limitations.

Additionally, the respective depending claims contain the same limitations as the independent claims and the Applicant respectfully requests the withdrawal of the rejection of these claims

#### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 5, 14-16, 18 and 20-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Greer et al (US 5987466) in view of Krishnan, et al. (6343085). Claim 18 is canceled. The Applicant respectfully traverses the rejection of these claims.

The Krishnan reference is directed to throttling bandwidth in order to alleviate the problem of bandwidth saturation. The Applicant's invention is directed to controlling object transfer and in turn, controlling available bandwidth through the use of object priorities to allow for increasing, throttling or leaving the bandwidth constant. Krishnan does not disclose dynamically assigning priorities or attributes, nor does Krishnan disclose estimating the use of a link between a proxy server (intermediate component)

and a client device (second component). The Greer reference also lacks the disclosure of these limitations.

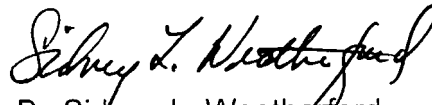
The Greer and Krishnan references, individually or in combination do not disclose the limitations of the independent claims as amended and thus do not render claims 5, 14-16 and 20-24 unpatentable. The Applicant respectfully requests withdrawal of the rejection of these claims.

### CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



By Sidney L. Weatherford  
Registration No. 45,602

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Ericsson Inc.  
6300 Legacy Drive, M/S EVR 1-C-11  
Plano, Texas 75024

(972) 583-8656  
sidney.weatherford@ericsson.com